

REMARKS

Claims 1-11 are objected to because of the phrase "characterised in that." Appropriate correction has been made. Claim 1, as amended, and newly added independent Claim 16 require an activatable membrane, i.e., a membrane impermeable to gas and liquid which becomes permeable upon activation. Basis is found in the specification (10:4-13). No new matter is added.

Claims 1-11 are rejected under 35 U.S.C. §§102(b)-103 over EP 0 068 830 (Barby et al.), EP 0 488 665 (van Eikeren et al.), and U.S. Pat. No. 5,678,564 (Lawrence et al.). Barby et al. teaches an article for delivering or absorbing liquid. The article has a porous polymeric material which is substantially homogeneous, or uniform in its porosity and behaves in a "predictable manner" (p. 6, second para. - p. 7, second para.). van Eikeren et al. teaches a semipermeable membrane-enclosed adsorbent device for selective removal of volatile species. The membrane is "freely permeable to gases but substantially impermeable to liquid water ..." (2:35). Materials are also disclosed for achieving the semipermeable characteristics (2:40-57). Lawrence et al. teaches a catheter system for incontinent female patients. The device has a membrane 25, through which urine is evacuated by suction (6:22-25). Upon wetting, the membrane will support a suction pressure without permitting air to pass, as the membrane is preferably hydrophilic (6:28-33, 6:42-45).

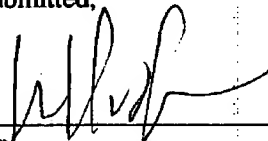
Collectively, the cited references fail to teach activatable membranes, i.e., any membrane which changes permeability properties upon activation or in response to a stimulus -- as required by the present invention. This provides the claimed invention with differential permeability, i.e., permeability to gases or liquids following activation. Further, the cited references fail to teach membranes which permanently change properties upon activation as required by dependent Claims 12 and 17.

In contrast, the claims require the claimed device to have a membrane which changes properties after activation. The property can be changed from being impermeable to gas and liquid but, upon contact with a gas or liquid, become permeable to gas and/or to liquid. Such a change may be permanent and does not have to rely upon rewetting or maintaining contact with the gas or liquid. Thus, the user has the flexibility to utilize the claimed membrane in intermittent fashion, and still maintain the desired permeability.

None of the cited references, alone or in combination, teach the claimed invention having the activatable membrane, i.e., a membrane which passes a fluid upon activation. The cited references neither teach the structure found in the claimed invention, nor otherwise achieve the benefits thereof. Accordingly, the Examiner is respectfully requested to reconsider and allow Claims 1-11 and to consider newly added Claims 12-20 which remain in the application.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

Respectfully submitted,



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(AMENDMENT.DOC)  
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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

Claims 1 has been amended as follows:

1. (Amended) A device for absorbing or dispensing a liquid, said device comprising a liquid reservoir and [a] an activatable porous membrane, said membrane being impermeable to gas and liquid, and, upon activation, thereafter allowing liquid to pass therethrough, the reservoir comprising an inlet, wherein the reservoir is at least partly occupied by a porous bulk material, [characterised in that] the membrane [is] being hermetically sealed to or around the reservoir so that [fluid] liquid passing through the inlet must pass across the membrane[, and wherein the membrane has an average pore size of from 1 to 100 micrometers].

Claims 12-20 have been newly added.